

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHARLES COX,

Petitioner,

Case No. 19-cv-12542
Hon. Matthew F. Leitman

v.

MARK MCCULLICK,

Respondent.

/

**ORDER REOPENING CASE AND DIRECTING
RESPONDENT TO FILE RESPONSIVE PLEADING**

Petitioner Charles Cox filed a pro se petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On May 11, 2020, the Court entered an order holding the case in abeyance so that Cox could exhaust his state court remedies with respect to claims that he did not raise on direct appeal. (ECF No. 15.) Having exhausted his state court remedies, Cox filed a motion to lift the stay and reopen the case. (ECF No. 17.)

The Court may order a habeas petition to be reinstated upon timely request by a habeas petitioner. *Rodriguez v. Jones*, 625 F. Supp. 2d 552, 559 (E.D. Mich. 2009). Because it appears that Cox complied with the order staying the case, the Court will order the case to be reopened.

IT IS HEREBY ORDERED that the case be reopened and reinstated to the Court's active docket.

IT IS FURTHER ORDERED that the Clerk's office serve a copy of this order upon the Michigan Attorney General, Appellate Division.

IT IS FURTHER ORDERED that Respondent shall file a responsive pleading and the Rule 5 materials within 75 days of the date of this order.

/s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: January 5, 2023

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on January 5, 2023, by electronic means and/or ordinary mail.

s/Holly A. Ryan
Case Manager
(313) 234-5126